

PROPOSALS FROM LOCAL PUBLIC DEFENDER OFFICES

Robbery in the Third Degree, a Class D non -forcible felony
Shoplifting attempted or completed with a simple assault

Enact a **Murder in the Third Degree or Aggravated Manslaughter** with a Penalty of 25 years.

Theft 714.1 (4) Eliminate the language “or having reasonable cause to believe that such property was stolen”. Case law state a person must have knowledge of the stolen property.

Assault without intent to cause serious injury but causing serious injury. Change it from a forcible to non-forcible Class D Felony. Section 708.2(4)

Assault with intent to cause serious injury is an aggravated misdemeanor. Section 708.2. (1)

Consider making **assault** a general intent crime

Eliminate **Detention in a Brothel** Section 709.7 a Class. Felony.

Eliminate **simulated** public intoxication from Section 123.46(2)

Abuse of a Corpse 709.18 Subsections 2 and #3 have nothing to do with a sex act yet invoke the provisions of 903B which requires 10 years of parole, sex offender registry

Eliminate **mandatory minimums** on meth crimes -leaving discretion to Court to waive or impose

Place time limits on prior offense for purpose of impassion of **enhancement**, i.e. a person charged with possession of meth with 2 prior SchII can be enhance to a felony even if felony is 20 years old. Put place a reasonable limit such as 10 years. This is done in OWI and Dom Abuse cases

Habitual Offender , Section 902.8 should also have time limitation written into it. As it is currently written, any two prior felonies can be used to enhance the penalty for a Class C or D to 15 years. A reasonable time limitation should be incorporated into the requirements for past felonies such as 10 or 12 years.

Change **Section 123.47** to provide for exoneration as enacted in 123.46(5) . This would mean persons underage could have same exoneration as persons of legal age.

Eliminate life imprisonment for juveniles convicted of Class A felonies.

Streamline method for low income persons trying to obtain work permits. Generally must retain private counsel and pay fees.

Courts are now requiring traffic fines to be paid in full on the Court day. Non-payment can lead

to license suspensions, DUS or DWB charges setting in motion a series of events from which an indigent person can find little reprieve.